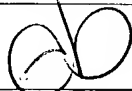


Notice of Allowability	Application No.	Applicant(s)	
	10/038,018	HOLLAND, HERBERT WILLIAM	
	Examiner	Art Unit	
William T. Leader	1742		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the paper faxed to the PTO on 11 February 2004.
2. ☒ The allowed claim(s) is/are 13-22 and 25-30.
3. ☒ The drawings filed on 03 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|--|---|

1. Receipt of the response faxed to the USPTO on February 11, 2004 is acknowledged. This response overcomes the problems identified in the paper mailed on February 5, 2004. However, the status of claims 31-35 is incorrect. The status of claims 31 and 32 is listed as "currently amended", while the status of claims 33-35 is listed as "previously amended".

2. In response to the Restriction Requirement of September 09, 2003, which applicant faxed to the USPTO on October 8, 2003, applicant elected to prosecute invention group II, claims 13-30. Invention group I included claims 1-12, while invention group III included claims 31-36. Applicant instructed that claims 1-12 and 31-36, which were directed to the non-elected inventions, along with claims 23-24 be canceled. Thus, the proper status of claims 31-35 is "canceled", in accordance with applicant's October 8, 2003 instructions to cancel these claims. Claims 13-22 and 25-30 are pending.

3. The following examiner's amendment has been made to clarify the status of the claims as explained above.

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as

provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claims 31-35 have been canceled because the cancellation of these claims was requested by applicant in the paper of September 9, 2003.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Furuta patent (3,892,640) is directed to the purification of waste water. The apparatus includes three electrolytic tanks, 32, 33 and 34 as shown in figure 1. The Plantes et al patent (4,329,211) is directed to an electrocoagulator which may include three processing modules 10, 12 and 14 as shown in figure 1.

REASONS FOR ALLOWANCE

6. The following is an examiner's statement of reasons for allowance: As shown by the prior art of record, fluid treatment methods using apparatus with interleaved electrodes and apparatus with a plurality of processing modules are known. However, the prior art does not suggest a method or apparatus having a plurality of contaminant separation sectors within a single housing and having the configuration recited in the instant claims. As noted above, applicant elected to

prosecute invention group II, claims 13-30. These claims are generally directed to the embodiment described at pages 32-39 of the specification. Figure 6 provides a non-limiting illustration of this embodiment. Claim 13 requires that the plurality of contaminant separation sectors be placed within the interior chamber of a housing such that the electrodes of the sectors are arranged in substantially parallel planes and in distinct layers. Additionally, each sector comprises a pair of electrodes, each of which comprises a plurality of parallel plates, the plates of the electrodes interleaving and forming cavities to define a flow path from the inlet port to the outlet port. This geometrical arrangement is not suggested by the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to William T. Leader whose telephone number is 571-272-1245. The examiner can normally be reached on Mondays-Thursdays and alternate Fridays, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King, can be reached on 571-272-1244. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


William Leader
March 16, 2004


ROY KING
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700